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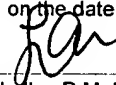
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April 21, 2004

File: 4100.000582

| | |
|---|---|
| CERTIFICATE OF MAILING 37 C.F.R. § 1.8 | |
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below: | |
| April 21, 2004 |  |
| Date | Shelley P.M. Fussey |

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: *U.S. Patent Application Serial No. 09/592,685; Entitled "Methods of Using Latent TGF β Binding Proteins"; by Bonadio and Yin (Client Ref. UM926P2C1)*

Sir:

Please find enclosed:

1. A Request for Reconsideration of Petition Under 37 C.F.R. § 1.47(a);
2. An Inventors' Declaration executed by an authorized agent of Assignee;
3. A check for \$130.00 as the fee Under 37 C.F.R. § 1.63(e); and
4. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

WILLIAMS, MORGAN & AMERSON, P.C.

Commissioner for Patents

April 21, 2004

Page 2

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Director is authorized to deduct or credit said fees from or to Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4100.000582.

Respectfully submitted,

Williams, Morgan & Amerson, P.C.

Customer No. 23720



Shelley P.M. Fussey, Ph.D.

Reg. No. 39,458

Agent for Applicants

Encls.



CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

April 21, 2004
Date


Shelley P.M. Fussey

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Jeffery Bonadio and Wushan Yin

Serial No.: 09/592,685

Filed: June 12, 2000

For: METHODS OF USING LATENT TGF β
BINDING PROTEINS

Group Art Unit: 1647

Examiner: Romeo, D.

Atty. Dkt. No.: 4100.000582

**REQUEST FOR RECONSIDERATION
OF PETITION UNDER 37 C.F.R. § 1.47(a)**

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Decision on Petition mailed from the U.S. Patent and Trademark Office on April 05, 2004 ("Decision"), Applicants respectfully request reconsideration thereof.

An acceptable inventors' declaration is enclosed herewith that includes the citizenship of Wushan Yin.

The Assignee of record is the single Assignee of the entire right, title and interest in the application. The Assignee has appointed its own registered attorneys and agents to prosecute the application. MPEP 324. The Assignee has authorized the assignee's undersigned representative

and registered agent to sign the enclosed declaration on its behalf. The undersigned agent hereby states that she is authorized to sign on behalf of the assignee. MPEP 409.03(b).

The fee of \$130.00 required under 37 C.F.R. § 1.63(e) is included. Should the fee be omitted or deficient, the Commissioner is authorized to deduct said fee from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4100.000582.

This request is timely, being submitted within two months of the Decision.

In conclusion, the request for reconsideration is in order and the original petition should be granted. Should the Office have any questions, a telephone call to the undersigned Assignee's representative is earnestly solicited.

Respectfully submitted,
Williams, Morgan & Amerson, P.C.
Customer No. 23720



Shelley P.M. Fussey, Ph.D.
Reg. No. 39,458
Agent for Applicants

10333 Richmond, Suite 1100
Houston, Texas, 77042
(713) 934-4079

Date: April 21, 2004



PATENT
4100.000582

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Methods of Using Latent TGF- β Binding Protein**, the Specification of which:

- ☐ is attached hereto.
☒ was filed on **June 12, 2000** as Application Serial No. **09/592,685**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 and/or § 365 of any foreign application(s) for patent or inventor's certificate, PCT international application(s), and United States provisional application(s), listed below and have also identified below any foreign application for patent or inventor's certificate, PCT international application, or United States provisional application, having a filing date before that of the application on which priority is claimed:

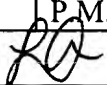
| PRIORITY APPLICATION(S) | | | Priority Claimed |
|-------------------------|-----------|--------------------|---------------------|
| 08/479,722 | USA | June 7, 1995 | Yes |
| (Number) | (Country) | (Date Filed) | Yes/No |
| 08/316,650 | USA | September 30, 1994 | Yes |
| (Number) | (Country) | (Date Filed) | Yes/No |
| 08/199,780 | USA | February 18, 1994 | |
| (Number) | (Country) | (Date Filed) | Yes/No |

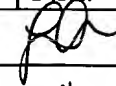
I hereby claim the benefit under Title 35, United States Code, § 120 and/or § 365 of any United States application(s) and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which becomes available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--------------------------|-------------------|----------|
| PCT/US95/02251 | February 21, 1995 | Pending |
| (Application Serial No.) | (Filing Date) | (Status) |
| (Application Serial No.) | (Filing Date) | (Status) |

I hereby direct that all correspondence and telephone calls be addressed to Shelley P.M. Fussey, Williams, Morgan & Amerson, P.C., 10333 Richmond, Suite 1100, Houston, Texas 77042, (713) 934-7000.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | |
|---|---|-------|---------|
| Inventor's Full Name: | Jeffrey | | Bonadio |
| Inventor's Signature: | | | |
| Country of Citizenship: | U.S.A. | Date: | |
| Residence Address: (street, number, city, state, and/or country) | 4680 Tarantella Lane San Diego, CA 92130 | | |
| Post Office Address: (if different from above) | | | |
| Authorized Agent of the Assignee | | | |
| Agent's Full Name: | Shelley | P.M. | Fussey |
| Agent's Signature: |  | | |
| Date: | 21st April, 2004 | | |

| | | | |
|---|---|-------|--------|
| Inventor's Full Name: | Wushan | | Yin |
| Inventor's Signature: | | | |
| Country of Citizenship: | China | Date: | |
| Residence Address: (street, number, city, state, and/or country) | 1587 Beal Street, #18 Ann Arbor, MI 48105 | | |
| Post Office Address: (if different from above) | | | |
| Authorized Agent of the Assignee | | | |
| Agent's Full Name: | Shelley | P.M. | Fussey |
| Agent's Signature: |  | | |
| Date: | 21st April, 2004 | | |